

October 8, 2021

BY CM/ECF AND EMAIL

Hon. Analisa Torres
United States District Court
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Contrarian Capital Management, LLC v. Bolivarian Republic of Venezuela*,
19 Civ. 11018 (S.D.N.Y.) (rel. Nos. 19 Civ. 3123, 18 Civ. 11940, 20 Civ. 10342,
21 Civ. 597, & 21 Civ. 2678): Joint Motion for Leave to File Supplemental Pleading
Under Rule 15(d)

Dear Judge Torres:

We represent the parties in this action. The parties have reached a settlement that resolves Plaintiffs' claims on certain bonds owned by Boston Patriot Summer St LLC, which were previously dismissed without prejudice by a stipulation that the Court so-ordered on May 8, 2020. *See* Dkts. 52, 53.

To implement their settlement, the parties respectfully request leave pursuant to Rule III.A of the Court's individual practices for Plaintiffs to file a supplemental pleading so that the parties can stipulate to entry of an agreed-to judgment.¹ This procedure is consistent with the procedure followed for the prior settlement and stipulation between the parties, which the Court so-ordered on May 24, 2021. *See* Dkts. 114, 118. The proposed supplemental pleading is attached in draft form as Exhibit A.

The parties therefore respectfully request that the Court grant leave for Plaintiffs to file the supplemental complaint attached as Exhibit A to this letter. In the event the Court grants that motion, Plaintiff will within three days file the supplemental complaint and submit a stipulation that the parties have executed entering final judgment on that supplemental complaint for the Court's review.

¹ As part of their overall settlement, the parties have agreed that Plaintiffs may file a supplemental complaint under Rule 15(d) on which a stipulated judgment may be entered. While the Republic reserves its rights regarding whether supplemental pleadings would otherwise be appropriate in this or any other case, it has agreed to this procedure solely in the interest of expeditiously facilitating an overall settlement of the parties' disputes. If the Court wishes to have further argument on the motion to file the supplemental complaint, the parties will be happy to provide it.

Hon. Analisa Torres
October 8, 2021

Respectfully submitted,

/s/ Steven F. Molo

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Encl.

Cc: All counsel of record via CM/ECF